

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – PRED – Execution of substandard road works in Visakhapatnam District and also certain irregularities committed in execution of bore wells by Sri J. Chitti Babu, Deputy Executive Engineer (Retired) – Orders for withholding of the alleged misappropriation of amount of Rs.2,61,691/- out of pensionary benefits – SLP dismissed by the Supreme Court of India – Further orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No. 1407

DATED:01-10-2009.

Read the following:-

1. G.O.Rt.No.1344, Panchayat Raj and Rural Development (Vig.II) Department, Dt:21-7-2005.
2. Orders of APAT in OA No.3680/05 and 2883/06 filed by Sri J.Chitti Babu, DEE, PR(Retd.) dt.22.12.06
3. From the Engineer-in-Chief, Panchayat Raj Letter No. Vig.III(4)/12296/03, Dt.12.4.07
4. Govt. Memo No.9899/Vig.II/A2/04-32, P.R. & R.D.(Vig.II) Deptt., dt.25.5.07.
5. Orders dt.9.8.07 of Hon'ble High Court of A.P., in WP No.16878/07.
6. Govt. Memo No.9899/Vig.II/A2/04-38, P.R. & R.D.(Vig.II) Deptt., dt.31.12-07.
7. From the Engineer-in-Chief, Panchayat Raj Letter No. Vig.III(4)/12296/03, Dt.03.8.09.

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**ORDER:**

In the reference 1<sup>st</sup> read above, orders were issued by Government, for settlement of pensionary benefits of Sri J.Chitti Babu, Deputy Executive Engineer (Rtd), withholding an amount of Rs.2,61,691/- as an interim measure, pending finalisation of disciplinary action against him, in view of the A.P. Lokayukta directions, as the individual viz., Sri J.Chitti Babu, Deputy Executive Engineer (Retd.) was involved in the two cases, i.e., (i) Large scale irregularities in digging of open wells and bore wells during 1999-2000, while he was working in SOCIAL WELFARE (TW) Dept., and (ii) he was figured in Adv (QC) report No.389/2000 in two works, in P.R. & R.D. Department..

2. Aggrieved by the above said orders of Govt., the individual has filed O.A.No.3680/2006 and O.A.No.2883/2006 in APAT. The Hon'ble A.P. Administrative Tribunal, in its orders Dt:22-12-06 in the reference 2<sup>nd</sup> read above, in O.A.No.3680/2006, directed that impugned proceedings i.e., charges framed against AO, in respect of the work, i.e., digging of bore wells, while he was working in TW Dept, vide C.E, T.W. Pro.No. B3/5765/2001-PDR, Dt.13-11-2003, are set aside and, in O.A.No.2883/2006, directed that impugned order i.e., G.O.Rt.No.1344, P.R. & R.D Dept., dt. 21-7-05, on recovery of Rs.2,61,691/-, (i.e., Rs.83,672/- pertaining to the work of T.W. Dept. and Rs.1,78,019/- pertaining to the 2 works of P.R. Dept.), is also set aside and also directed to release all the retirement benefits.

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3. After examination of the orders Dt:22-12-06 of the Hon'ble A.P. Administrative Tribunal, in O.A.No.3680/2006 and O.A.No.2883/2006, the Engineer-in- Chief, Panchayat Raj was directed to file an appeal before the Hon'ble High Court of A.P., against the orders Dt:22-12-06 of the Hon'ble A.P. Administrative Tribunal, in O.A.No.3680/06 and O.A.No.2883/2006, vide reference 4<sup>th</sup> read above; and, accordingly, W.P.No.16878/07 was filed before the Hon'ble High Court of A.P.

4. The Hon'ble High Court of A.P. in orders Dt: dt.9.8.07 in W.P.No.16878/07 has concurred with the findings of the tribunal and the WP was dismissed, vide reference 5<sup>th</sup> read above. After examination of the matter, the Engineer-in- Chief, Panchayat Raj was directed to **file Special Leave Petition** in the Hon'ble Supreme Court, against the orders Dt:9-8-07 of Hon'ble High Court of A.P. in W.P.No.16878/07, vide reference 6<sup>th</sup> read above; and, accordingly, the Engineer-in-Chief, Panchayat Raj filed SLP (C) CC No.15926/2008 before the Hon'ble Supreme Court of India.

5. The Engineer-in-Chief, Panchayat Raj in his letter 7<sup>th</sup> read above has stated that the Hon'ble Supreme Court in its orders dt.9.2.09 dismissed the SLP (C) CC No.15926/2008, against the orders Dt:9-8-07 in W.P.No.16878/2007 and requested for taking further action, in the matter.

6. After careful examination of the matter, Government have decided to agree with the orders of Hon'ble A.P.A.T. in O.A. No.3680/2006 and in O.A.No.2883/2006, i.e. to release all the retirement benefits, Accordingly Government hereby order to release all the retirement benefits to Sri J.Chitti Babu, Deputy Executive Engineer (Retired), in the matter.

7. The Engineer-in-Chief, Panchayat Raj is requested to take necessary further action, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C.SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

Copy to:

The Social Welfare (TW) Department.

The Chief Engineer, Tribal Welfare Department, Hyderabad.

SF/SCs.

// FORWARDED:: BY ORDER //

SECTION OFFICER